

BILL NO. Z-79-02-34

ZONING MAP ORDINANCE NO. Z- ³ Withdrawn

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-30.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 District - General Industrial, under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M-30, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the East Half of the Southeast Quarter of
Section 23, Township 31 North, Range 12 East,
Allen County, Indiana, described as follows:

Commencing at the northeast corner of said Half-Quarter Section; thence south and along the centerline of U.S. Highway #27 (Coldwater Road) 428.70 feet; deflecting 90° 21' right parallel with the north line of said Half-Quarter Section 866.79 feet to the place of beginning of this description; thence deflecting 90° 21' left parallel with said centerline 196.40 feet; thence deflecting 89° 39' left parallel with the north line of said Half-Quarter Section 245.24 feet; thence deflecting 89° 39' right parallel with said centerline 212.28 feet; thence deflecting 90° 00' right parallel with the south line of said Half-Quarter Section 697.85 feet to the west line of said Half-Quarter Section; thence north and along the west line of said Half-Quarter Section 413.00 feet; thence east parallel with the north line of said Half-Quarter Section 454.41 feet to the place of beginning, containing 5.495 acres, more or less.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____

Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 2-27-79

Charles W. Klutts
CITY CLERK

Read the third time in full and on motion by _____,

seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

With Document
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____

at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

Bill No. Z-79-02-34

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. M-30

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdrawn PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

3-27-79 COMPLETED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong Date 3-19-79
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council 3-27-79

COPIES TO:

BILL NO. Z-76-09-11

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. HH-2

Pursuant to the request of the Standing Committee Vice Chairman of Regulations of the Common Council, the presence of Gary Baeten, City Plan Commission, is respectfully requested on March 27, 1979, 7:00 P.M., Common Council Conference Room 128.

A more detailed explanation is requested by Common Council regarding City Plan Commission recommended DO PASS with the following amendments: PERFECT TO A B-1-B CLASSIFICATION and DO PASS LOTS #234, 237 & 238, eliminating Lots 232, 233, 235, 236 and 239 from the original petition.

Your cooperation will be greatly appreciated.

W. Richards

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 27, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-02-34; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission;

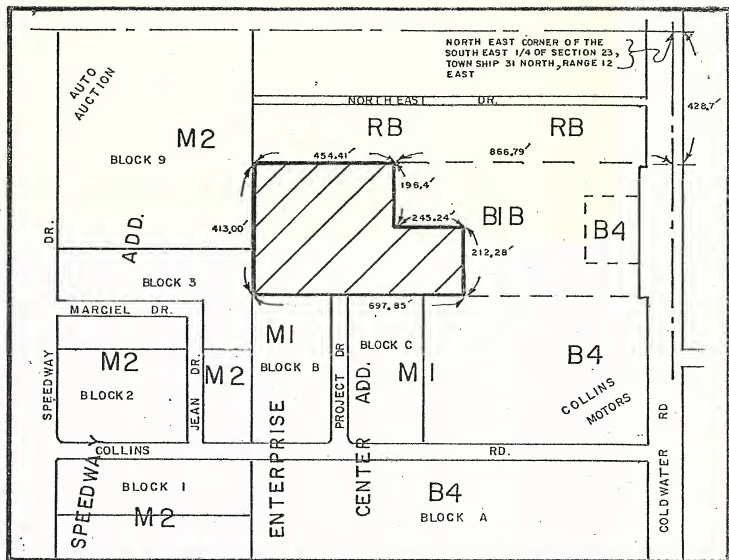
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this
7th day of March 1979.

Thomas B. Adams

Thomas Adams
Secretary



CHANGE FROM BIB TO M2

Map No. M-30



RECEIPTDate 2-7- 1979 No. **10716**Received From Johnny Appleseed CenterAddress 2542 Thompson Ave.Fifty dollars and .00/100 Dollars \$ 50.00For Rezone b-1 to m-2

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	<u>50</u>	<u>00</u>	CASH		
AMT. PAID	<u>50</u>	<u>00</u>	CHECK <input checked="" type="checkbox"/> # <u>7266</u>		
BALANCE DUE			MONEY ORDER		

By

J. Barnes

EXHIBIT

Legal Description of Property

OF

5.495 ACRES

FT. WAYNE, INDIANA

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23,
TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID HALF-QUARTER
SECTION; THENCE SOUTH AND ALONG THE CENTERLINE OF U. S. HIGHWAY
#27 (COLDWATER ROAD) 428.70 FEET; DEFLECTING 90° 21' RIGHT
PARALLEL WITH THE NORTH LINE OF SAID HALF-QUARTER SECTION
866.79 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION;
THENCE DEFLECTING 90° 21' LEFT PARALLEL WITH SAID CENTERLINE
196.40 FEET; THENCE DEFLECTING 89° 39' LEFT PARALLEL WITH
THE NORTH LINE OF SAID HALF-QUARTER SECTION 245.24 FEET;
THENCE DEFLECTING 89° 39' RIGHT PARALLEL WITH SAID CENTERLINE
212.28 FEET; THENCE DEFLECTING 90° 00' RIGHT PARALLEL WITH
THE SOUTH LINE OF SAID HALF-QUARTER SECTION 697.85 FEET TO
THE WEST LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH
AND ALONG THE WEST LINE OF SAID HALF-QUARTER SECTION 413.00
FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID HALF-
QUARTER SECTION 454.41 FEET TO THE PLACE OF BEGINNING,
CONTAINING 5.495 ACRES, MORE OR LESS.

APRIL 4, 1974
#22074

P E T I T I O N

It has come to the attention of the undersigned that one Sam Moricca has requested a zoning change as to three non-consecutive lots north of Covington Road, west of South Bend Drive, and east of Sheffield, in Wayne Township, Allen County, Indiana, to B1-B from residential designations now in existence. Such request, we thought, was successfully resisted in 1976, and now, without further notice, we find that this matter is now before the ~~County~~^{CITY} Council.

The undersigned, all being resident homeowners, object strenuously to said change in zoning or any use not commensurable with present designations, and urge that the ~~Allen County~~^{CITY} Council not approve any such zoning or a non-conforming use as to any lots fronting on Covington Road between Sheffield and South Bend Drive (previously known as "Old Huntington Road") in that the requested zoning or use would be "spot zoning"; would detract from the value of adjoining residential neighborhoods; would create a traffic hazard even greater than presently existing; and in that the interested parties have not received requisite notices of the proposed action or actions of the ~~Allen County~~^{CITY} Plan Commission or ~~Allen County~~^{CITY} Council.

Gregory E. End

Robert J. End

Robert E. Shilling

L. J. Goetzman

Wm. L. J. Goetzman
[Signature]

4701 Covington Rd Apts

4701 Covington Road

4701 Covington Rd Apt 12

4701 Covington Rd. Apt. 10

" " Apt. 22
4701 Covington Rd.

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Phyllis Stanley
Hberlyn

2807 Club Terrace

2737 Club Terrace

Nancy Hershberg
W.A. Spelman

2737 Club Terrace

2716 Club Terrace

Patricia Wynneken

2716 Club Terrace

Margaret H. Hurlayson
Julius H. Hurlayson

2816 Club Terrace

2840 Club Terrace

Carole P. Hurlayson

2840 Club Terrace

Richard W. Wells

2406 Smith Pl.

Rueb S North

2806 Smith Rd

Hele Van Orman

2730 Club Terrace

Wagon

5811 Covington Rd

Hildegard Morgan

5811 Covington Rd

Ann Webster

5323 24. Huntington Rd.

Ron Barber

5305 US 24 W



5525 Covington RD

Sarah Kitch

5525 Covington Rd.

Hawaiian Mice

2736 Club Terrace

James L. Hall

2816 Smith Rd.

Margaret Hyde

2816 Smith Rd.

P E T I T I O N

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Douglas D. Miller
2736 Elm Avenue, Ft Wayne Ind.

24 S. Glidewell Drive

Rhea K. Glidewell

Loraine Smith

Jeff Harold Smith

Richard G. Yerkey

Patricia M. Yerkey

Agnes Antikes

2926 Smith Road Ft Wayne

2926 Smith Road, Ft Wayne

3120 Smith Road Ft Wayne

3120 Smith Rd - Ft. Wayne

3130 Smith Rd - Ft. Wayne

3130 Smith Rd Ft. Wayne

2736 Smith Road

Alvin A. Loman

2726 Smith Road

Marion Loman

2726 Smith Rd.

Carol G. Mosker

2718 Smith Rd

J. S. M. Kivergin

5423 Covington Rd

J. D. A. C. C. C.

2806 Cener Tr

J. H. Stanley

2807 Club Terrace

Joan C. Kewens

5576 Covington Rd.

Bill Kratoch

3516 Smith Rd.

Charles J. Cooney

2620 Covington Club

1 Bee Cassidy

5437 Covington

Virian J. Cassidy

5437 Covington Rd.

Richard B. Junior

5511 Covington Trl

Gretchen A. Bonick

5511 Covington Rd

Martha Doty

5544 Covington Rd.

Lauren Doty

5544 Covington Rd.

Morris D. Martin

5374 Covington Rd.

Harold E. Mingo

5110 Covington Rd.

Mary E. Mingo

5110 Covington Road

Richard E. Ryan

5200 Covington Road

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

THE
Zacher
COMPANY

716 S. Barr Street
Fort Wayne, Indiana 46802
(219) 422-8474

March 2, 1979

City Plan Commission
City - County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen:

We respectfully request that the zoning petition for 5.495 acres owned by Carl Verble Associates be withdrawn.

The filing fee has been reallocated to the Board of Zone Appeals Petition for the same property. A copy of the petition is enclosed.

Sincerely,



Alfred J. Zacher, S.I.R.
THE ZACHER COMPANY

AJZ/ep

Encl.

INDUSTRIAL
COMMERCIAL
INVESTMENT
DEVELOPMENT

Member:
National Association of Realtors

Individual Member
Society of Industrial Realtors

Number assigned by Bill Salin's Office: # 3292 Admn. Appr. _____

DIGEST SHEET (AMENDED)

TITLE OF ORDINANCE Zoning Ordinance Amendment Z-76-09-11

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots #234, 237, and 238 Country Club Terrace Addition.

Section A, generally located on the North side of Covington Road, east of

Sheffield Drive and West of South Bend Drive.

EFFECT OF PASSAGE Property is now zoned RA District - Suburban Residential.

Property will become B1B District - Limited Business.

EFFECT OF NON-PASSAGE Property will remain RA District - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____